श्री मोहम्मद अफजल उर्फ मीम अफजल : मैडम, मैंने कल अर्जुन सिंह जी का मामला उठाया था . . . . (**व्यवधान**)

[شری محمد افضل عرف م۔ افضل : میڈم، میں نے کل ارجن سنگھ جی کا معاملہ اٹھایا تھا . . . "مداخلت" . . .]

उपसभापति : एक मिनट ।

श्री अफजल मोहम्मद उर्फ मीम अफजल : मैडम, मेरी दरख्वास्त है कि मुझको इजाजत दी जाए । मैं सबसे पहले यहां पर खड़ा हुआ था और आपने मुझे इजाजत दी थी इसके लिए ।

[شری محمد افضل عرف م۔ افضل : میڈم میری درخواست ہے کہ مجھ کو اجازت دی جائے ۔ میں سب سے پہلے یہاں پر کھڑا ہوا تھا اور آپ نے مجھے اجازت دی تھی اس لئے ۔]

उपसभापति : हां, मैं इजाजत दूंगी ।

श्री मोहम्मद अफजल उर्फ मीम अफजल : मैडम, आज अर्जुन सिंह जी का खुद यह बयान आया है और यू० एन० आई० ने इसको रिलीज किया है . . (**व्यवधान**)

[شری محمد افضل عرف م۔ افضل : میڈم۔ آج ارجن سنگھ جی کا خود بیان یہ آیا ہے ۔ اور یو۔ این آئی نے خود اس کو ریلیز کیا ہے . . . . "مداخلت" . . . .]

श्री अजीत जोगी : जानकारी प्राप्त करना तो इन्वैस्टिगेटिंग एजेंसी का काम था । अगर थे एक महत्वपूर्ण साक्ष्य है, सबूत है, तो उसको इन्हें कंसीडर करना था । उन्होंने कंसीडर नहीं किया है । आज अगर इंडियन एक्सप्रैस या कोई माननीय सदस्य इसको जानकारी में ला रहे हैं तो यह कोई एक्सक्यूज नहीं बनता है कि सी० बी० आई० इतने महत्वपूर्ण साक्ष्य को ध्यान में न ले । पूरा सदन इस पर चिंतित है और इस पर गंभीरता से विचार करके, सारे तथ्य इकट्ठे करके हमें खबर देनी चाहिए ।

Re Judgement of the Land Reforms Tribunal of Andhra Pradesh.

SHRI YASHWANT SINHA (Bihar) : Madam, we have just . . . (*Interruptions*)

SHRI MOHAMMED AFZAL *alias* MEEM AFZAL (Uttar Pradesh) : Madam, I should also be given a chance.

THE DEPUTY CHAIRMAN : Sure. Wait a minute.

SHRI YASHWANT SINHA : Madam, we have remembered in humility and with gratitude the martyrs of the freedom movement a little while ago in this House, and the high standards and norms which they had set up. I had raised also in the last session in this House an issue of ethics and said that for those of us who are in public life, there should be an Ethics Committee of Parliament which will enquire into various issues. It is not that ethics and moral values have completely vanished. We have in this Government itself the shining examples of Mr. Madhavrao Scindia and Mr. P. Chidambaram who quit their ministerial jobs when certain issues were brought to light and they felt that as Ministers they should take the responsibility. The question, Madam Deputy Chairman, which I am raising is : Can anyone who has been guilty by a court of falsifynig records or submitting false records, occupy any position in Government ? ** **

[ ] Transliteration in Arabic Script.

** Madam Deputy Chairman, because... (*Interruptions*)

SHRI V. NARAYANASAMY (PONDICHERRY) : *It is an allegation. He cannot raise it....*

SHRI YASHWANT SINHA : Why not ? (*Interruptions*) Madam, we have come across a judgment of the Land Reforms Tribunal of Andhra Pradesh... (*Interruptions*)... which has directed the Prime Minister to return 83 acres of land because the submission...

THE DEPUTY CHAIRMAN : Can you substantiate it ?

SHRI YASHWANT SINHA : Yes. It is a judgment of the Court.

THE DEPUTY CHAIRMAN : Any allegation should be substantiated. Otherwise, we do not allow.

SHRI YASHWANT SINHA : It is the judgment of the Court. (*Interruptions*). It is the finding of the Court. It is the judgment of the Court. (*Interruptions*) **

** ** **

** (*Interruptions*).

SHRI V. NARAYANASAMY : Madam, let him know the rules first.

SHRI JOHN F. FERNANDES (GOA) : Madam, I am on a point of order. (*Interruptions*).

THE DEPUTY CHAIRMAN : Just a minute. I know the rules. (*Interruptions*) The Rule says : "No allegation of a defamatory or incriminatory nature shall be made by a member against any other member or a member of the House unless the member making the allegation has given previous information to the Chairman..." (*Interruptions*) Mr. Narayanasamy, it is a very bad habit of yours. When I am reading something, he should know what I am reading. Why are you interrupting ?

SHRI V. NARAYANASAMY : He should give prior intimation...

THE DEPUTY CHAIRMAN : That is all right. You please keep quiet. Let me read the rule. (*Interruptions*) You are justifying your mistake. Let me read out the rule.

SHRI V. NARAYANASAMY : There should be prior intimation... (*Interruptions*)

THE DEPUTY CHAIRMAN : Please, Mr. Narayanasamy. If you want to read, you are most welcome to take the book and read it from the Chair. If you want me to read it, let me read it because as long as I am in charge of this House, I should read it out to the Member and bring it to his notice that he should give prior notice to the Chairman in writing and get his permission... (*Interruptions*)

SHRI SATYA PRAKASH MALAVIYA (UTTAR PRADESH) : Madam, the rule which you quoted is for a Member, not for a member of the Council of Ministers.

THE DEPUTY CHAIRMAN : You have to take it as Member or Minister. There have been allegations raised against Ministers which we have stopped until and unless you gave it in writing and the person concerned be present here to clarify. That is the position... (*Interruptions*).

SHRI KAMAL MORARKA (RAJASTHAN) : Madam, I am on point of order. Madam, we all agree with the rule which you have read. We are not in the habit of making allegations which are either unfounded or without notice. In the present case, what Mr. Sinha has done is that he has only drawn the attention of the House to a judgment of a Tribunal. We are not making any allegations.

SHRI V. NARAYANASAMY : No, no. He has made it.

SHRI KAMAL MORARKA : Just listen to me.

SHRI V. NARAYANASAMY : He made the allegation. He has to substantiate it.

(*Interruptions*)

SHRI KAMAL MORARKA : I may remind my friend... (*Interruptions*).

THE DEPUTY CHAIRMAN : I will permit you to make your submission if you have any. But I have not yet per-

**Expunged as ordered by the Chair.

mitted you. When I permit you, you can. Now, Mr. Fernandes, please take your seat.

SHRI KAMAL MORARKA : This matter, as we all know, has come right from the Supreme Court. The Supreme Court sent it back to the Lands Tribunal and told them to dispose it of within a specified time. Now the Tribunal has disposed it of and they have given their findings. The question of any allegation does not arise. As far as the Indian judicial system is concerned, the only remedy available to the people aggrieved by this judgement is to go in for appeal, and the Prime Minister has the freedom to do. But we are not on this subject. We are on a limited subject, that is, the findings of this nature. Same thing happened in Andhra Pradesh when the High Court's findings were there against Mr. Sanjeeva Reddy and he was asked to resign as the Chief Minister of Andhra Pradesh. Are the strictures of the High Court less serious than those of the Lands Reforms Tribunal? We want to know whether any norms are going to be followed. ... (*Interruptions.*) These are not allegations. We are not making any allegations.... (*Interruptions.*)

THE DEPUTY CHAIRMAN : Still, whatever you are saying, we are hearing only one side of it. If you are sure, if you have the justification and you can substantiate it, then you can ask for Chairman's permission.

SHRI YASHWANT SINHA : Let me submit. If I quote the Supreme Court's judgement, if I quote a judgement of the High Court or if I quote a judgement of any law court here in the House, in what way have we to substantiate it? That is the finding of the court. Now I am drawing the attention of the Chair and of the House to the findings of the court. the court has said that the Prime Minister has given an affidavit which is wrong. The Prime Minister said that he sold his land to his brothers and his employees, which the court has rejected ... (*Interruptions.*)

THE DEPUTY CHAIRMRAN : If you have any difficulty, you ask the Chairman and give in writing. Let the person concerned be here.

SHRI YASHWANT SINHA : You give notice to the Prime Minister to come to the House.

THE DEPUTY CHAIRMAN : I can't.

SHRI YASHWANT SINHA : I cannot await his pleasure. You ask him to come to the House.

THE DEPUTY CHAIRMAN : No, Mr. Yashwant Sinha, I cannot give any notice to anybody.

SHRI YASHWANT SINHA : How do I ensure the presence of the Prime Minister?

THE DEPUTY CHAIRMAN : You write to the Chairman.

SHRI YASHWANT SINHA : You are directing me that I should raise it when the Prime Minister is here in the House. But how do I ensure the Prime Minister's presence ?

THE DEPUTY CHAIRMAN : I am saying that in a proper order, you give notice; you write to the Chairman and he will consider. That is the practice.

SHRI YASHWANT SINHA : Notice for what ? I am quoting the judgement which has appeared in all the newspapers. It is public knowledge. And I am speaking on the basis of that public knowledge. Let somebody in the Government stand up and deny that the Tribunal has passed such an order ... (*Interruptions*).

SHRI S. JAIPAL REDDY (ANDHRA PRADESH) : For referring to a judgement, there is no further proof required.

THE DEPUTY CHAIRMAN : According to Mr. Kamal Morarka himself, one can go in for an appeal against this judgement...

SOME HON. MEMBERS : No. no.

THE DEPUTY CHAIRMAN : He said it just now. If it is a matter which is not final, you cannot raise it in the House.

SHRI YASHWANT SINHA : I am raising the moral issue whether such a person whose affidavit has been rejected by a court,

should be the Prime Minister of this country ... (*Interruptions*).

THE DEPUTY CHAIRMAN : The Leader of the House wants to say something.

SHRI YASHWANT SINHA : Mr. Narasimha Rao moved a Bill in the Andhra Assembly, and he is the one who has violated it ... (*Interruptions*).

विपक्ष के नेता (श्री सिकन्दर बख्त) : डिप्टी चेयरमैन साहिबा, सवाल रूलिंग का और नोटिस देने का नहीं है। (**व्यवधान**) तकरीर नही कर रहा हूं। सवाल एथनिक का है (**व्यवधान**) एक इल्जाम है.. (**व्यवधान**)

†نیتا دیودھی دل رسکندر بخت": چیئرمین صاحبہ۔ سوال رولنگ دینے کا اور نوٹس دینے کا ... "مداخلت" ... تقریر نہیں کر رہا ہوں۔ سوال ایتھنک کا ہے ... "مداخلت" ... ایک الزام ہے۔

THE DEPUTY CHAIRMAN : I have replied to Mr. Morarka. I want the Leader of the House to say something. I do not want any discussion on this matter. I am not allowing it because it is out of order. I am not allowing it.

श्री सत्य प्रकाश मालवीय : अदालत का एक फैसला हो चुका है... (**व्यवधान**)

THE DEPUTY CHAIRMAN : I am sorry. This is not the way. This is not a proper order. The Leader of the House is on his feet. Please take your seats.

श्री सत्य प्रकाश मालवीय : कोर्ट का एक फैसला है... (**व्यवधान**)

उपसभापति : आप लीडर को बोलने दीजिए। (**व्यवधान**) यह कोई तरीका नहीं है... (**व्यवधान**)

श्री सत्य प्रकाश मालवीय : जो फैसला है उसको यशवंत सिन्हा जी ने कोट किया है... (**व्यवधान**)

†[ ] Transliteration in Arabic Script.

THE DEPUTY CHAIRMAN : He is the Leader of the House. I can allow, I am not allowing any discussion.

THE DEPUTY CHAIRMAN : I am not allowing any discussion on it.

SHRI YASHWANT SINHA : Then, don't allow the Home Minister either. Why are you permitting the Home Minister to speak ?

THE DEPUTY CHAIRMAN : I am permitting the Home Minister because you have gone on record. Otherwise, I will have to expunge everything from the record. (*Interruptions*)

SHRI YASHWANT SINHA : Then, I have not had my full say. Let me have my full say and then let the Home Minister speak. (*Interruptions*) The moment you utter the word 'Prime Minister', everybody gets up and starts saying something. (*Interruptions*)

THE LEADER OF THE HOUSE (SHRI S. B. CHAVAN) : Madam, you have read the rule and have explained the position. If the rule contains such a thing, certainly, we are bound by it. In regard to this entire thing, prior notice has not been given to the Chairman and that is why... (*Interruptions*)

SHRI SATYA PRAKASH MALAVIA : It is false evidence. (*Interruptions*)

SHRI S. B. CHAVAN : The whole thing should not form part of the record. That is my submission. (*Interruptions*)

SHRI KAMAL MORARKA : Madam, Tribunal has given its findings.

THE DEPUTY CHAIRMAN : I have allowed you enough. (*Interruptions*) That is enough. (*Interruptions*)

SHRI YAHWANT SINHA : *

THE DEPUTY CHAIRMAN : I am not allowing anything on this.

SHRI YASHWANT SINHA : Should he continue to occupy the highest position ? Should he continue to sit as Prime Minister ?

*Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN : You may demand anything. (*Interruptions*) I am not allowing anything. (*Interruptions*)

SHRI S. B. CHAVAN : Madam, you have to expunge it from the record. (*Interruptions*)

THE DEPUTY CHAIRMAN : I will see the record. (*Interruptions*)

SHRI YASHWANT SINHA : What is to be expunged ? (*Interruptions*)

SHRI DIPEN GHOSH (West Bengal) : Madam, I am on a point of order.

THE DEPUTY CHAIRMAN : There is nothing. That matter is closed.

SHRI SATYA PRAKASH MALAVIYA : This matter cannot be closed. Mr. Dipen Ghosh is on a point of order. I would request you to kindly permit him.

THE DEPUTY CHAIRMAN : I won't permit him.

SHRI SATYA PRAKASH MALAVIYA: He is on a point of order.

THE DEPUTY CHAIRMAN : On what subject he is on a point of order ?

SHRI SATYA PRAKASH MALAVIYA : He is on a point of order.

THE DEPUTY CHAIRMAN : On what?

SHRI DIPEN GHOSH : Madam, my point of order is.. (*Interruptions*)

THE DEPUTY CHAIRMAN : Nothing is going on record. Anybody speaking without my permission is not going on record.

SHRI MOHAMMED AFZAL *alias* NEEM AFZAL : *

SHRI N. E. BALARAM (Kerala) : Madam, point of order is a part of procedure. You should allow him. It is a part of procedure.

THE DEPUTY CHAIRMAN : I would request Members to please keep quiet. I will permit whoever wants to raise a point of order. I will allow.

*Not recorded.

SHRI DIPEN GHOSH : Madam, I know that there is such a rule. (*Interruptions*)

THE DEPUTY CHAIRMAN : Mrs. Natarajan, please sit down. Do you want to pick up a quarrel with the Chair ?

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu) : No.

THE DEPUTY CHAIRMAN : Then, please sit down. (*Interruptions*).... say, please take your seat. I know you want to defend. I will allow you.

SHRIMATI JAYANTHI NATARAJAN: Madam from the beginning ...

THE DEPUTY CHAIRMAN : I know. It is being noted.

SHRI DIPEN GHOSH : Madam, I know the rule. Under this rule, a Member while making a complaint against another Member has to give prior notice to the Chair and, if allowed, he can make the complaint so that the other Member against whom the complaint is made can defend himself. That is the purpose of that rule. That is the idea behind that rule. The purpose is that no unfounded complaints should be made on the floor of the House. Now, the Leader of the House spoke. I was pained to hear the Leader of the House when he said that the matter which was raised by Mr. Yashwant Sinha should be expunged from the record. That made me rise on a point of order. Madam, this refers to a judgement. I may like the judgement. I may not like the judgement. I may go in for appeal. I may not go in for appeal. He has only drawn the attention of the House to a judgement and a Member is entitled to seek clarifications, at least, because the judgement concerns a very important person in the country, no less a person than the Prime Minister. (*Interruptions*) The judgement may be wrong. ... (*Interruptions*)... I may not agree with the judgement, or the judgement may not be agreeable to anybody and everybody. One may like a judgement or not, but a judgement is a judgement, and one seeks a clarification on that judgement, whether that judgement covers a particular important person.

THE DEPUTY CHAIRMAN : What are you saying, really ?

SHRI DIPEN GHOSH : So, Madam, the rule which you have quoted, that rule does not cover this particular issue. You can say it is a judgement, it is yet to be seen whether any appeal is made, you can say it is *sub judice* and so no action should be taken or no decision should be taken and no imputation should be made. All this is there. ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : What do you want ?

SHRI DIPEN GHOSH : That rule does not apply.

THE DEPUTY CHAIRMAN : It applies. ... (*Interruptions*) ... In may wisdom, it applies. Yes, Mr. Fernandes.

SHRI DIPEN GHOSH : My submission is that Mr. Yashwant Sinha should be allowed to complete his mention and then let the Leader of the House say whatever he has to say.

THE DEPUTY CHAIRMAN : Mr. Fernandes, what is your point of order ?

SHRI JOHN F. FERNANDES : Madam, the matter was litigated before the Supreme Court. A specific point was referred back to the Land Tribunal and the matter is not yet finally disposed of by the Supreme Court.

SHRI YASHWANT SINHA : It is disposed of.

SHRI KAMAL MORARKA : Madam, now if somebody has to go into the technicalities, then they cannot ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : I say, please ... (*Interruptions*) ... This is not proper. Mr. Morarka, I have permitted you. This whole House runs on technicalities, and I will go according to my responsibility and rules which are before me I am not going into any other thing.

SHRIMATI JAYANTHI NATARAJAN: Madam, I had a point ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : I am not allowing.

SHRIMATI JAYANTHI NATARAJAN: Madam, I had a point ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : I am not allowing ... (*Interruptions*) ...

SHRI PRAMOD MAHAJAN : On a technical point, half a dozen Chief Ministers were expelled. ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : I am not allowing anything about any Chief Minister's expulsion. The matter before me is very limited; it is a limited matter to us. What happened to the Chief Ministers is not my concern. My concern is proper running of the House.

SHRI YASHWANT SINHA : Is it not your concern, Madam Deputy Chairman, what happens to the Prime Minister ? No ? ... (*Interruptions*) ...

विपक्ष के नेता (श्री सिकन्दर बख्त) : सदर साहिबा, मैं एक गुजारिश करना चाहता हूं । (**व्यवधान**) ... सदर साहिबा मेरी गुजारिश सुन लें । मैं खाली यह कहना चाहता हूं कि इसमें श्री यशवंत सिन्हा साहब ने एक सवाल उठाया था, उन्होंने रूल्स की बात नहीं कही थी । ... (**व्यवधान**) ...

†شری سکندر بخت "مدھیہ پردیش" صدر صاحبہ۔ میں ایک گذارش کرنا چاہتا ہوں ... "مداخلت" ... صدر صاحبہ۔ میری گزارش سن لیں۔ میں خالی یہ کہنا چاہتا ہوں کہ اس میں شری یشونت سنہا صاحب نے ایک سوال اٹھایا تھا۔ انھوں نے رولس کی بات نہیں کہی تھی ... "مداخلت" ...

SHRIMATI JAYANTHI NATARAJAN: Please hear us, Madam ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : Just a minute. He is the Leader of the Opposition; let him speak. I will permit you.

SHRIMATI JAYANTHI NATARAJAN: You should have called me before Mr. Ghosh ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN : You can answer all of them, if you feel like that.

श्री सिकन्दर बख्त : उन्होंने ईथिक्स की बात कही थी । सीरियस बात यह है कि ट्रिब्यूनल ने अगर इल्जाम लगाया है तो उस इल्जाम के बाद प्राइम मिनिस्टर साहब का कोई रीएक्शन हमको मालूम नहीं हुआ है ।

† [ ]Transliteration in Arabic Script.

सवाल यह है कि इसके कायदे कानून वगैरह में जाने से पहले यह देखिए कि इतनी बड़ी तारीकसाय हिन्दुस्तान के प्राइम मिनिस्टर के ऊपर हो और किसी किस्म का रद्देअमल, कोई प्रतिक्रिया प्राइम मिनिस्टर का हिन्दुस्तान के लोगों को मालूम न हो---सवाल यहां होम मिनिस्टर साहब को तकलीफ देने का नहीं है । प्राइम मिनिस्टर साहब यहां तशरीफ लायें और हिन्दुस्तान के लोगों के सामने, अवाम के सामने यह बतायें कि क्या यह इल्जाम, जो लगाया गया है, गलत है, या ठीक है। अगर ठीक है तो इसकी कौन सी सजा भुगतने के लिए तैयार हैं, यह बतायें । इसमें कायदा कानून कहां से आ गया ?

شری سکندر بخت : انھوں نے ایتھکس کی بات کہی تھی ۔ سیریس بات یہ ہے کہ ٹربیونل نے اگر الزام لگایا ہے تو اس الزام کے بعد پرائم منسٹر صاحب کا کوئی ری ایکشن ہم کو معلوم نہیں ہوا ہے ۔ سوال یہ ہے کہ اس کے قاعدہ قانون وغیرہ میں جانے سے پہلے یہ دیکھئے کہ اتنے بڑے تاریک سائے ہندوستان کے پرائم منسٹر کے اوپر ہوں اور کسی قسم کا کوئی ردِّ عمل ۔ کوئی پرتیکریہ پرائم منسٹر کا ہندوستان کے لوگوں کو معلوم نہ ہوں سوال یہاں ہوم منسٹر صاحب کو تکلیف دینے کا نہیں ہے ۔ پرائم منسٹر صاحب یہاں تشریف لائیں اور ہندوستان کے لوگوں کے سامنے ۔ عوام کے سامنے یہ بتائیں کہ کیا یہ الزام جو لگایا گیا ہے غلط ہے یا صحیح ہے ۔ اگر صحیح ہے تو اس کی کون سی سزا بھگتنے کے لئے تیار ہیں ۔ یہ بتائیں ۔ اس میں قاعدہ قانون کہاں سے آیا ۔

[ ]Transliteration in Arabic Script.

उपसभापति : आप जो कुछ कह रहे हैं, यह बात जो मैंने कही---प्राइम मिनिस्टर साहब यहां आयें या न आयें, होम मिनिस्टर साहब जवाब दें या न दें---यशवंत सिन्हा साहब कायदे में इस मामले को उठायें, चेयरमैन साहब की परमीशन लें और जो रूल्स के अंडर हैं, परमीशन लेकर डिसकस करें । मैं इस तरीके से एक दूसरे के ऊपर इल्जामकशी की इजाजत, अपनी चेयरमैनशिप में, जब मैं यहां बैठी हूं, नहीं दूंगी । ... (**व्यवधान**) ...

श्री सिकन्दर बख्त : सदर साहिबा, इन्होंने कोर्ट के जजमैंट को कोट किया है, कोई इल्जाम नहीं लगा रहे हैं ।

شری سکندر بخت : صدر صاحبہ ۔ انھوں نے کورٹ کے ججمنٹ کو کوٹ کیا ہے ۔ کوئی الزام نہیں لگا رہے ہیں ۔

उपसभापति : आप कह रहे हैं कि नहीं लगाया है । मगर जो कुछ भी आप कह रहे हैं हाउस में, तो इसका हर काम रूल के तहत होता है और उस रूल और कानून के तहत ... (**व्यवधान**) ...

SHRI SIKANDER BAKHT : We want a reaction from the Prime Minister.

THE DEPUTY CHAIRMAN : If you want a reaction ... (*Interruptions*) ... Please, just a minute. I can, if you want ... (*Interruptions*) ... If you want a reaction, whatever you want to raise you should according to the rules. Outside this ... you are free to do what you like, but within this House I have to run it according to the rules. I cannot allow anything outside the rules.

SHRI SIKANDER BAKHT : Did you allow Mr. Yashwant Sinha to say something or not ? He has said something.

THE DEPUTY CHAIRMAN : Yes, he said it.

[ ]Transliteration in Arabic Script.

SHRI SIKANDER BAKHT : After your permission he spoke.

THE DEPUTY CHAIRMAN : I did not know what he wanted to say. I did not know, and I can never know, the minds of the people. That is what I wanted to say. If he had given it in writing to the Chairman, the Chairman in his own wisdom would have thought over it. But now that he just got up and raised the issue in the House, I cannot permit him. (*Interruptions*)

SHRI YASHWANT SINHA : Madam, I did not level allegations. I still maintain that I have not levelled any personal allegations against the Prime Minister. I referred to a judgement of the court. That is all. I have a right to refer to the court judgement without giving proper notice. I am aware of the rules, Madam Deputy Chairman.

SHRI PRAMOD MAHAJAN (Maharashtra) : The rule you are quoting relates to allegations. But this is not an allegation that the rule does not permit. .... (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: I have a point of order that I have been trying to raise. Mr. Yashwant Sinha spoke about morals, Mr. Yashwant Sinha spoke about ethics, *

All this has gone into the record.

SHRI YASHWANT SINHA : No.

SHRIMATI JAYANTHI NATARAJAN: He said it, he said it.

* This is totally reprehensible. It should be expunged. He is not doing it on the basis of any authentication. I think it should be expunged immediately from the records of the House. He should give it in writing. Please give your ruling on it. He made all these allegations. They are part of the record. On what basis ?

SHRI V. NARAYANASAMY : We are prepared to challenge it. Let him give it in writing. ... (*Interruptions*)

*Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN : I have allowed Mr. Salve, please, please.

THE MINISTER OF POWER (SHRI N. K. P. SALVE) : I do not know the facts of the case, and I have not read the judgement of the Tribunal.

SHRI KAMAL MORARKA : Why is he speaking then ?

SHRI N. K. P. SALVE : I am entirely on the procedure.

THE DEPUTY CHAIRMAN : You talked about the judgement : he is talking about the procedure in the House.

SHRI N. K. P. SALVE : I am entirely on the procedure.

SHRI KAMAL MORARKA : Madam, you look at the procedure. We want you to look at the procedure. ..(*Interruptions*)

SHRI N. K. P. SALVE : There is a rationale behind the rule you have named. I want Mr. Morarka to bear with me for a moment. He raised a point. He says, "I am not making an allegation. I am only referring to the order of the Tribunal. Therefore, I am not covered by the rule." I want to submit to you, Madam, that the argument is utterly untenable. The rule provides for a notice whenever there is an allegation against anyone, very much more so when the Prime Minister is involved. Mr. Sinha has referred .... (*Interruptions*)

SHRI YASHWANT SINHA : No, there is no different rule for the Prime Minister. I have not read a single line in any book which says that there is a different rule for the Prime Minister. ... (*Interruptions*)

THE DEPUTY CHAIRMAN : Please.

SHRI KAMAL MORARKA : Mr. Salve is speaking all this *

THE DEPUTY CHAIRMAN: Have patience to listen to other people also. ... (*Interruptions*)

*Expunged as ordered by the Chair.

SHRI KAMAL MORARKA : Mr. Rangayya Naidu is every time doing like this. Is this his office or his house?

THE DEPUTY CHAIRMAN : Okay, he won't do it; I would do it. Please take your seat.

SHRI N. K. P. SALVE : Madam, In this manner it is very unfair because the entire proceedings in the House at this rate will go on absolutely *ex parte*. The rationale behind notice is that if notice is given and the Chairman cognizes, then, the person whose name is mentioned, will have to come and defend himself. We do not know what it is, and we do not know what it is not. Coming of things of this kind in the House is entirely out of order, Madam. You have rightly ruled it out. Therefore, I submit that the whole thing should be expunged. ...(*Interruptions*)

THE DEPUTY CHAIRMAN : I will look into the record.

SHRI KAMAL MORARKA : No.

SHRI YASHWANT SINHA : What is there to look into the record ?

THE DEPUTY CHAIRMAN : I will look into the record.

....(*Interruptions*)

SHRI YASHWANT SINHA : Mr. Malaviya has already said that the Prime Minister is not a holy cow in a democracy.

SHRI KAMAL MORARKA : The Prime Minister is not a holy cow.

SHRI YASHWANT SINHA : The Prime Minister can be criticised. *
and I cannot even raise that issue! How can you remove it from the record? ....(*Interruptions*)

THE DEPUTY CHAIRMAN : Please. My ruling is that I am not going to allow anybody to speak on the subject.

*Expunged as ordered by the Chair.

SHRI YASHWANT SINHA : You have allowed three Members of the Treasury Benches to say what they wanted to say. ...(*Interruptions*)

They said that whatever I had said should be expunged, and you said that you would look into the record. ...(*Interruptions*)

Nothing have I said which cannot stand on the record, which cannot go on the record.

SHRI DIPEN GHOSH : Under what rule does he demand the expunction ?

SHRI YASHWANT SINHA : It is highly reprehensible.

श्री सिकन्दर बख्त : साल्वे साहब बताइए (**व्यवधान**) बजाय शर्मिन्दगी के आप रिकार्ड से निकालने की ख्वाहिश करते हैं। यह कोई सवाल है। (**व्यवधान**)

†شری سکندر بخت : سالوے صاحب بتائیے ... "مداخلت" ... بجائے شرمندگی کے آپ ریکارڈ سے نکالنے کی خواہش کرتے ہیں۔ یہ کوئی سوال ہے ... "مداخلت" ....

श्री एन०के०पी० साल्वे : यह जो आप कह रहे हैं, मैं वही चाहता हूं (**व्यवधान**)

SHRI KAMAL MORARKA : Madam, the rule is quite clear. They want to stretch the rule to protect the Prime Minister. There is no personal enmity. We are not making any allegation. It is the finding of the Tribunal.

THE DEPUTY CHAIRMAN : I refer to rule 238A. You read the rule in full. If Mr. Yashwant Sinha on the basis of whatever material he has at his command or in his possession should write to the Chairman and if the Chairman permits, nobody would object to it. Let the thing

†[ ]Transliteration in Arabic Script.

come in a proper order. I don't want this House to run in disorder.

SHRI YASHWANT SINHA : This is what we are saying. Something which is a judgment of the court, is public property. It is not my private property. (*Interruptions*) The rule that you are quoting refers to the allegation of a Member against another Member. This is something which the public knows. The whole country knows about it. Everybody knows about it. (*Interruptions*)

THE DEPUTY CHAIRMAN : Just a second. Mr. Sinha, is it a final order or there is an appeal against it ?

SHRI YASHWANT SINHA : It is a final order of the Tribunal. I am not saying on the .... (*Interruptions*) Madam, let me tell you that it was the Supreme Court of India which directed the Land Reforms Tribunal of Andhra Pradesh to dispose of this case. It is under an order of the Supreme Court that the Tribunal has settled this case. I mean, its a judgment in that context. It is a final judgment of the Tribunal.

THE DEPUTY CHAIRMAN : According to your own Member, Mr. Kamal Morarka, this order can be gone into in appeal. So, it is not final. (*Interruptions*) He said it. I did not say anything about it. (*Interruptions*)

SHRI DIPEN GHOSH : Let the Prime Minister say that he is going in for appeal. (*Interruptions*)

SHRI YASHWANT SINHA : Madam, I cannot appeal on behalf of the Prime Minister. The Prime Minister must say that he is going in for appeal. Unless that declaration of intention is there, I will say the judgment is final.

THE DEPUTY CHAIRMAN : For that, for getting the Prime Minister over here, which you want, you must apply in a proper order. You must write to the Chairman. That is my final decision and that is all. No more. (*Interruptions*)

SHRI KAMAL MORARKA : We have no allegation against the Prime Minister. (*Interruptions*)

SHRI S. JAIPAL REDDY : To bring in a new aspect of the problem to your notice, the Prime Minister's son, Mr. P. V. Ranga Rao, who is the Minister of State for Education...

THE DEPUTY CHAIRMAN : No, I am not allowing. I am not permitting.

SHRI S. JAIPAL REDDY : ... told the Legislative Assembly that he would abide by the judgment of the Tribunal. That means they have chosen not to go in for appeal. It is, therefore, final. (*Interruptions*)

THE DEPUTY CHAIRMAN : I am not allowing anything.

SHRI KAMAL MORARKA : Madam, I want to know : when will the Prime Minister have time to rule the country, if he has to go in appeals and spend his time in fixing up Arjun Singh ? (*Interruptions*)

THE DEPUTY CHAIRMAN : Order, please.

SHRI KAMAL MORARKA : The judgment relating to the Prime Minister we cannot discuss here ! This is a political assembly not a religious congregation, we are not supposed to do Bhajans.

THE DEPUTY CHAIRMAN : I said and I repeat it again in perfect silence that whatever matter you want to raise, it should be raised according to the rules in this House. You please apply under the rules to the Chairman. If the Chairman in his wisdom allows it, I will permit you. (*Interruptions*)

SHRI YASHWANT SINHA : Madam, you permitted Mr. Shiv Shanker to raise a very important issue. (*Interruptions*) you permitted him. Why would you not permit me ? (*Interruptions*)

THE DEPUTY CHAIRMAN : Let it come in a proper order and I will allow you.

SHRI MADAN BHATIA (Nominated) : Madam, they should not be allowed to take the House for a ride. (*Interruptions*)

SHRI KAMAL MORARKA : We are not going to be browbeaten by them.

SHRI MADAN BHATIA : All those allegations referred by the Supreme Court have been rejected by the Tribunal by its judgment. Madam, they are hijacking the House. (*Interruptions*) They are taking the House for a ride. They should be ashamed of this. (*Interruptions*)

SHRI YASHWANT SINHA : Madam, why don't you permit a full discussion on this and allow us to say what we want to say ? They say there is no point in this. (*Interruptions*) There is no point in this. (*Interruptions*) What is the point in this ?

SHRI MADAN BHATIA : They have to file a copy of the judgement of the Tribunal before this House. He is liable to be proceeded against for a breach of privilege because he has sought to raise... (*Interruptions*) ...

SHRI YASHWANT SINHA : I dare him to give a notice of breach of privilege. I invite him to give a notice of breach of privilege against me. I am prepared to face it. Let him give a notice. I challenge him to give a notice of breach of privilege against me. I have raised this issue, let him give a notice of breach of privilege.

SHRI N. E. BALARAM : Madam, the matter should be referred to the Committee of Privileges. This matter should go before the Committee. (*Interruptions*).

SHRI JAGESH DESAI (Maharashtra) : Madam, it should not go on record.

श्री दिग्विजय सिंह : मैडम.. (व्यवधान) गंभीर बात यह है कि तो.... (व्यवधान)

SHRI DIPEN GHOSH : Madam, let Mr. Madan Bhatia give a notice of breach of privilege against Mr Yashwant Sinha.

SHRI YASHWANT SINHA : Madam, I plead with folded hands, let him give a breach of privilege notice against me. Madam, I don't challenge him. I am pleading with him with folded hands, please bring a breach of privilege notice against me. I am requesting him with folded hands.

THE DEPUTY CHAIRMAN : I request every Member of the House, to maintain order in the House as we have other business to do. I cannot allow any further discussion on this.

SHRI S. JAIPAL REDDY : Madam, I have a submission to make.

SHRI KAMAL MORARKA : Madam, I know what Mr. Madan Bhatia is talking. I cannot match his ignorance.

THE DEPUTY CHAIRMAN : It is entirely the privilege of a Member whether he wants to move a motion of breach of privilege or not. If he moves it, the Chairman will look into it.

SHRI DIPEN GHOSH : Madam, let him move it.

SHRI YASHWANT SINHA : Madam, he can only threaten and not move.

SHRI S. JAIPAL REDDY : Madam, may I suggest a way out ?

SHRI MADAN BHATIA : They are misleading the House. They are hijacking the House.

THE DEPUTY CHAIRMAN : Now I am not permitting anything on this. Nothing will go on record. Now no more recording on this matter. (*Interruptions*).

SHRI S. JAIPAL REDDY : Madam, will you kindly hear me ? (*Interruptions*).

SHRI YASHWANT SINHA : Madam, Mr. Jaipal Reddy is the leader of the second largest group of the Opposition parties. (*Interruptions*)

THE DEPUTY CHAIRMAN : All of you are leaders of the first largest Opposition party or the second largest Opposition party. (*Interruptions*).

SHRI P. UPENDRA (Andhra Pradesh) : Madam, I want to raise some other issue.

THE DEPUTY CHAIRMAN : Yes, I will allow something else.

SHRI S. JAIPAL REDDY : Madam, I have a small submission to make. Please

hear me. Mr. Bhatia has talked of an issue of privilege. Mr. Yashwant Sinha and all of us here agree that there is substance in his plea. The Chair in its wisdom can take *suo motu* notice of it and admit it as a matter of privilege. (*Interruptions*).

SHRI DIPEN GHOSH : There is a rule, you can admit it.

SHRI MADAN BHATIA : Before I proceed against them, they must file a copy of the judgement. (*Interruptions*).

THE DEPUTY CHAIRMAN : Whenever Mr. Madan Bhatia moves it, it is for the Chairman to consider it.

SHRI YASHWANT SINHA : He has said on record. You admit it as a privilege.

THE DEPUTY CHAIRMAN : He has not moved it. (*Interruptions*).

SHRI KAMAL MORARKA : He is only threatening to move it, which he can't do.

THE DEPUTY CHAIRMAN : He has not moved it.

श्री प्रमोद महाजन : मैडम, यशवन्त सिन्हा को सबक सिखायें .... **(व्यवधान)**

Mr. Yashwant Sinha has made some allegations which are not real. I request Mr. Madan Bhatia to move a motion of breach of privilege against him.

SHRI S. JAIPAL REDDY : Madam, I appeal to Mr. Madan Bhatia that Mr. Yashwant Sinha is in the bad habit of making baseless allegations and, therefore, a privilege motion must be tabled against him.

SHRI JAGESH DESAI : Madam,... (*Interruptions*).

THE DEPUTY CHAIRMAN : Until and unless a motion is moved. I cannot take it up. Now, that matter is over.

SHRI N. K. P. SALVE : Without reading the judgment, (*Interruptions*). On the basis of press reports, has he raised the issue ? Has he raised the issue without reading the judgment ? (*Interruptions*). Has he read the judgment himself ? Please do not talk if you have not read the judgment. Madam, they talk of (*Interruptions*). ... norms, without reading it. Have they read the judgment ? (*Interruptions*). Have you read the judgment or have you read the press report of the judgment ? A press report of the judgment cannot be the basis. Let him read the judgment and then give a notice. Without the judgment having been read. (*Interruptions*).

THE DEPUTY CHAIRMAN : Order, please.

SHRI N. K. P. SALVE : It is against the convention of this House. Without having read the judgment, purely on the basis of press reports. (*Interruptions*).

SHRI YASHWANT SINHA : Mr. P. Shiv Shanker was allowed to raise an issue on the basis of press reports. And, I cannot say this on the basis of press reports ! (*Interruptions*). Mr. P. Shiv Shanker—Mr. Salve was sitting here—raised the issue of Rajiv Gandhi's assassination on the basis of press reports. (*Interruptions*).

SHRI N. K. P. SALVE : Madam, it is very unfair that without reading the judgment. (*Interruptions*).

SHRI KAMAL MORARKA : He has got the expertise at his command. What is the problem ?

SHRI N. K. P. SALVE : You have not read the judgment. Without reading the judgment, you are pillorying a man in this House. (*Interruptions*). He has not read the judgment. He does not know the allegations made in the judgment.

THE DEPUTY CHAIRMAN : I repeat again. I am not permitting anything on this matter. The matter is closed. Now, we will take up the Railway Budget for discussion.

SHRI YASHWANT SINHA : Madam, such an important matter cannot be closed like this. If you decide to close it like this, then, in protest, we are walking out.

THE DEPUTY CHAIRMAN : Mr. Yashwant Sinha, whatever you might say, you are free to say. But I will only permit whichever is in order. Anything which is

not in order, I will not be permitting, you walk out or walk in.

(At this stage, some hon. Members left the Chamber.)

SHRI S. JAIPAL REDDY : Madam, *(Interruptions)* . . .It is totally unsatisfactory. Therefore, we stage a walk-out.

(At this stage, some hon. Members left the Chamber.)

SHRI N. E. BALARAM : Madam, what Mr. Yashwant Sinha raised is a serious issue. You cannot, by saying, the rules . . . *(Interruptions)*.

THE DEPUTY CHAIRMAN : I have to say.

SHRI N. E. BALARAM : I understand your position. It is a serious issue which should be answered by the Leader of the House. Since he is not prepared to answer, I also protest against it and I walk out.

(At this stage, the hon. Members left the chamber)

SHRI DIPEN GHOSH : Madam.....

THE DEPUTY CHAIRMAN : I have said the matter is closed. When the matter is closed, it is closed. Nothing is going on record. *(Interruptions)*. I am not allowing it.

SHRI DIPEN GHOSH : *

THE DEPUTY CHAIRMAN : I am not allowing it. It is not going on record because you are not raising it in order. I am not allowing it. You raise it in the proper order. Please sit down.

SHRI DIPEN GHOSH : *

THE DEPUTY CHAIRMAN : Mr. Dipen Ghosh, please sit down. The Prime Minister can be called if you so choose. But, come in the proper order. You cannot call him like this. *(Interruptions)*.

SHRI DIPEN GHOSH : In protest, I walk out.

(At this stage, the hon. Members left the Chamber.)

SHRI JAGESH DESAI : Madam, a personal remark was made...

THE DEPUTY CHAIRMAN : I have seen it. I gave my ruling. I said it.

आप लोग सुनते नहीं है । अपनी आवाज सुनने के अलावा आप दूसरे की बात नहीं सुनते ।

That is why I tell you, when I am giving my ruling, please listen to it because the recording by the press should be done properly. Otherwise, it will be reported. Any remarks derogatory against anybody made, I will look into the record and expunge them. I want to make it clear again to the House, to those who are present here and who are not, anybody who wants to raise any matter, however serious it is, should raise it in a proper order, according to the rules. If anything, whatever it is, is not raised according to the rules, I will not permit it.

श्री संघप्रिय गौतम (उत्तर प्रदेश) : प्राइम मिनिस्टर खुद रूल के अनुसार नहीं चल रहे हैं । आप खुद जानती हैं · · · (**व्यवधान**) · · ·

उपसभापति : अब आप यह छोड़िए । · · · (**व्यवधान**) · · ·

श्री सिकन्दर बख्त : सदर साहिबा, मुझे सिर्फ इतना कहना है । ठीक है, आप रूल के मुताबिक चलाइए । जीरो-ऑवर में जो सवालात उठते हैं वह कौन से रूल के मुताबिक उठते हैं । जीरो-ऑवर में यहां जो कुछ होता है · · · (**व्यवधान**) · · ·

[ ] Transliteration in Arabic Script.

*Not recorded.

उपसभापति : आप जीरो-आवर में किसी पर इल्जाम नहीं लगा सकते ।

I cannot permit it for any hour, whether it is Zero Hour or any hour. I won't permit it.

श्री सिकन्दर बख्त : सदर साहिबा, इल्जाम नहीं लगा रहा । मेरी बात तो खतम होने दीजिए, सदर साहिबा । मैं यह कह रहा हूं कि इतफाक से यशवन्त सिन्हा साहब ने जिस तरीके से यह सवाल उठाया था वह बिल्कुल आइडेंटिकल उसी ढंग से उठाया था, जिस ढंग से शिवशंकर साहब ने उठाया था, वह रूल का सवाल नहीं होता । आपसे इजाजत ली जाती है बोलने के लिए । . . .

شری سکندر صاحب : صدر صاحبہ - الزام نہیں لگا رہا ہوں - میری بات تو ختم ہونے دیجئے صدر صاحبہ - میں یہ کہہ رہا ہوں کہ اتفاق سے یشونت سنہا صاحب نے جس طریقہ سے وہ سوال اٹھایا تھا وہ بالکل آئڈنٹیکل اسی ڈھنگ سے اٹھایا تھا جس ڈھنگ سے شیو شنکر صاحب نے اٹھایا تھا وہ رول کا سوال نہیں ہوتا - آپ سے اجازت لی جاتی ہے بولنے کے لئے . . . .

THE DEPUTY CHAIRMAN : No, no.

श्री सिकन्दर बख्त : देखिए, इसको इतना न कहिए मेहरबानी से, कि सब कुछ मिक्स-अप हो जाए और न मालूम कहां रूल एप्लीकेशन होता है और कहां नहीं होता है । जीरो-आवर में सवालात उठाने की इजाजत होती है । . . .

†[ ]Transliteration in Arabic Script.

شری سکندر بخت : دیکھئے اس کو اتنا نہ کہئے مہربانی سے کہ سب کچھ مکس اپ ہو جائے اور نہ معلوم کہاں رول اپلیکیشن ہوتا ہے اور کہاں نہیں ہوتا ہے - زیرو آور میں سوال اٹھانے کی اجازت ہوتی ہے - . . . .

THE DEPUAY CHAIRMAN : First of all, for me, there is no Zero Hour in this House. Every hour is an hour which has to be . . . (*Interruptions*).

SHRI SIKANDER BAKHT : All right. If there is no Zero Hour, then whatever has been happening, stop all this. You stop it.

यह क्या बात हुई, सदर सहिबा । यह गलत बात है बिल्कुल ।

THE DEPUTY CHAIRMAN : I will stop it. If I have my say, I will stop everything. I would like to inform the Leader of the Opposition that one of your Members wanted to raise an issue which was a sort of allegation against the Minister of the Cabinet and the matter was raised before the Chairman and the ruling was that the Member should give it in writing. He did not give it in writing, so it was not raised. Mr. Yashwant Sinha was not stopped from raising the issue—whatever he wanted to raise or even you were not stopped. But any issue of that magnitude has to be brought in a proper order and if you want to run this House by disorder, you are welcome to do it.

श्री संघप्रिय गौतम : मैडम, सारे देश में तो यह इस्यू उठ गया है । . . . (**व्यवधान**) . .

उपसभापति : बोलिए, उपेन्द्र जी ।

श्री प्रमोद महाजन : मैडम, आपने मुझे आइडेंटिफाइ किया ?

उपसभापति : अभी इनको किया है । फिर आपको करूंगी ।

†[ ]Transliteration in Arabic Script.